



**Please send all mail to:
TROY OFFICE**

28 SECOND STREET
TROY, NY 12180
PHONE: (518) 274-5820

200 HARBORSIDE DRIVE, SUITE 300
SCHENECTADY, NY 12305
PHONE: (518) 783-3843

511 BROADWAY
SARATOGA SPRINGS, NY 12866
PHONE: (518) 584-8886

1659 CENTRAL AVENUE, SUITE 103
ALBANY, NY 12205
PHONE: (518) 486-8800

FAX: (518) 274-5875

www.joneshacker.com

March 1, 2021

Via ECF

Hon. Christian F. Hummel
United States Magistrate Judge
United States District Court—NDNY
James T. Foley Courthouse
Albany, N.Y. 12207

Re: MinedMap, Inc. et. al. v. Northway Mining LLC, et al.
Case No.: 19-cv-00501

Dear Judge Hummel:

This firm represents defendants Northway Mining LLC, Michael Maranda, Michael Carter, Hudson Data Center, Inc., and Michael Maranda LLC (the “Movant Defendants”) in the above-referenced case. On February 17, Judge McAvoy issued a Decision and Order (ECF Doc. #147) which granted in part and denied in part the Movant Defendants’ motion to dismiss. The Decision and Order granted Mr. Williams 21 days from then to file an amended pleading that comports with particular instructions that are set forth at page 33 of the Decision and Order. Therefore, his next filing will presumably be on or before March 10.

Normally under Rule 12(4)(A), our time to answer the current First Amended Complaint (which the Decision and Order partially dismissed and partially did not) would be 14 days from the Decision and Order, in this case March 3. However, since Mr. Williams will have not filed his next pleading by then, I respectfully request that the Movant Defendants’ time to answer¹ be extended to April 2, 2021. I have conferred with Mr. Williams, and he advises that he has no objection to this request. Thank you.

¹ Judge McAvoy’s Decision and Order specified that the “Defendants may file any appropriate motion in response to any amended pleading Plaintiffs file.” Therefore, we reserve our right to move against the next pleading in whole or in part if there are grounds to do so (we will have to assess that when we see it). But in the meantime we respectfully would like relief from the Rule 4(4)(A) deadline to answer what remains of the current Complaint.

Benjamin F. Neidl, Esq.

Sincerely,

E. STEWART JONES HACKER MURPHY, LLP

A handwritten signature in black ink, appearing to read "Benjamin F. Neidl", with a long horizontal flourish extending to the right.

Benjamin F. Neidl, Esq.

bneidl@joneshacker.com

Direct Dial: (518) 270-1253

c.c. T. Edward Williams, Esq. (via ECF)
John F. Harwick, Esq. (via ECF)